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16 Attorneys for Defendants
17 DOMINO'S PIZZA, LLC and DOMINO'S PIZZA, INC.

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19 **UNITED STATES DISTRICT COURT**
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21 **SOUTHERN DISTRICT OF CALIFORNIA**
22
23 **SAN DIEGO DIVISION**
24

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26 IN RE: AMERANTH
27 PATENT LITIGATION
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Lead Case No.: 3:11-cv-01810-DMS-WVG

**DOMINO'S NOTICE OF MOTION AND
MOTION TO STRIKE THE
DECLARATIONS OF DR. SAM MALEK,
DR. MICHAEL SHAMOS, AND MICHEL
CARDINAL THAT WERE FILED IN
SUPPORT OF AMERANTH'S
OPPOSITION TO DOMINO'S MOTION
FOR SUMMARY ADJUDICATION**

Judge: Hon. Dana M. Sabraw
Date: July 20, 2018
Time: 1:30 PM
Location: Courtroom 13A

1 TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

2 PLEASE TAKE NOTICE THAT on July 20, 2018 at 1:30 p.m., or as soon
 3 thereafter as the matter may be heard, before the Honorable Dana M. Sabraw in
 4 Courtroom 13A located at 333 West Broadway, San Diego, CA 92101, Domino's
 5 LLC and Domino's Pizza, Inc., (collectively "Domino's") will and do hereby move
 6 to strike the Declarations of Sam Malek, Michael Shamos, and Michel Cardinal that
 7 were filed in support of Ameranth's Opposition to Domino's Motion for Summary
 8 Adjudication.

9 This Motion is based on this Notice of Motion, the accompanying
 10 Memorandum of Points & Authorities, any supporting declarations, all of which are
 11 served and filed herewith, the complete records and files of this action, and any
 12 argument or additional evidence that is permitted by this Court.

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 14 Dated: July 13, 2018

Respectfully submitted,

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 16 By: /s/ Thomas W. Cunningham

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9 *LLC and DOMINO'S PIZZA, INC.*
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CERTIFICATE OF SERVICE

The undersigned certifies that counsel of record who are deemed to have consented to electronic service are being served on July 13, 2018, with a copy of this document via the Court's CM/ECF system per Local Rules. Any other counsel will be served by electronic mail, facsimile, overnight delivery and/or first class mail on this date.

By: /s/ Thomas W. Cunningham
Attorneys for Defendants DOMINO'S PIZZA,
LLC and DOMINO'S PIZZA, INC.